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Subject.

Rules under the Madras Children Act as applied to the C. & M. Station of B'lore.

Previous References.

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Later References.

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Section. **FILE No. 1188 1934.** File No.

Heading. Serial No.

NOTES.

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Pros. 19 . Nos.

Subject.

Rules under the Madras Children Act, 1920, as applied to the C. P. M. Station of B'lore

Notes and Orders.

1018/34

A draft of the rules to be made under the Madras Children Act, as applied to the C. & M. Station of Bangalore, is submitted.

Draft rule 1 . Hon. magistrates have been included among those who may be invested with authority under sec.29 of the Act, to bring persons under 14 years of age before a court. But they are not included in the list of persons mentioned in the corresponding Madras rule (rule 40). There is however no objection to this change as hon. magistrates in the Station exercise only second class powers and such magistrates have not been invested with jurisdiction to try cases under the Act.

Under rule 2 of the Madras rules the Chief Inspector of Certified Schools is the Inspector General of Prisons, Madras. In draft rules 1, 3 and 4 which follow mainly the Madras rules, he is unsuitable. The Commissioner of Police has therefore been substituted for the Chief Inspector of Certified Schools in these rules.

Under subsection (3) of sec. 44 of the Madras Children Act, previous approval of the Governor Genral in Council is necessary for any rules to be made regarding the detention of children under arrest or remand or committed to trial (clause (q) of subsection (2) of section 44). Rules 53-55 of the Madras rules relate to such cases. Undertrial prisoners of the Station are accomodated in the Bangalore Central Jail which has also a juvenile section . Rules 54 and 55 may therefore be suitably adapted to the Station and they may be issued separately after the approval of the Govt. of India is obtained. A draft of the rules and a draft letter to the Govt. of India are submitted.

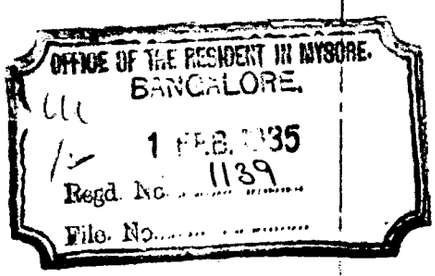
The rules under the Children Act come into force when published in the local official Gazette vide subsection (4) of section 44 of the Act. Previous publication for purposes of criticism is not provided for and is not therefore

U.O. No. 1187/34 dated the 16th Jan. 1935

The Collector and District Magistrate, C & M Station, Bangalore.

9

The rules closely follow the Madras Rules and do not call for much in the way of comment. Rule 1. I would suggest the insertion of the words, "and the Inspector of Schools, if deemed necessary" after "Commissioner of Police," as it seems desirable that the educational authorities should be consulted also.



COLLECTOR & DT. MAGISTRATE.

U.O. No. 349/C/35 dated 30th January 1935.

Secretary to the Resident in Mysore, Bangalore.

10

Draft rule 1 has been amended with reference to para 9 above. For orders as to whether the drafts may now issue.

5/2/35

11.3.35

Rect. 11

may issue.

S. N- (3)+(4) issue.

S.N. 71

GOVERNMENT OF MADRAS

Law (Education) Department.

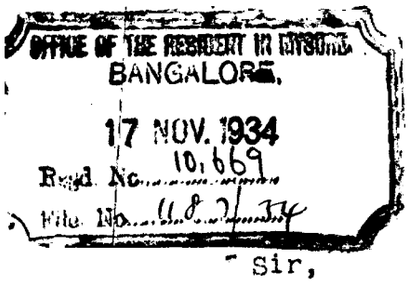
No. 2655 B-1

From

D.H. BOULTON, Esq., I.C.S.,

Deputy Secretary to the Government of Madras.

To



The Secretary to the Hon'ble the

Resident in Mysore, Bangalore.

Dated Fort St. George, the 15th November 1934.

Sir,

Rules under the Madras Children Act and the Madras Borstal Schools Act - Ref. your letter No. F. 1018-34/R.O.I dated the 24th October 1934.

******

I am directed to enclose a copy of the rules issued by this Government under the Madras Children Act, 1920, and to say that no rules have yet been framed under the Madras Borstal Schools Act, 1925. The Government have, however, issued a set of executive instructions for the guidance of Superintendents and other officers of Borstal schools with regard to the control, management, etc. of the schools. A copy of these instructions is also enclosed.

I have the honour to be,

Sir,

Your most obedient servant,

Deputy Secretary to Govt.

MVP

PRICE, 4 *annas*]

RULES UNDER THE MADRAS CHILDREN ACT, 1920

(*Corrected up to 20th August* 1931.)

(*G.O. No.* 801, *Law* (*Education*), *dated 9th June* 1923, *and G.O. No.* 1377, *Law* (*Education*), *dated 8th August* 1925.)

Under section 44, sub-section (1) of the Madras Children Act, 1920, the Governor in Council is pleased to prescribe, in supersession of all rules previously prescribed, the following revised rules for carrying into effect the provisions of the said Act.

Certified schools and auxiliary homes.

1. Certified schools and auxiliary homes maintained by the Government shall be known as Government certified schools and Government auxiliary homes, respectively. Certified schools and auxiliary homes maintained by any other agency shall be known as private certified schools and private auxiliary homes, respectively, and classified as aided or unaided according as they do or do not receive aid from public funds.

2. Application for certification under section 6 (2) shall be submitted in Form No. I appended to these rules to the Inspector-General of Prisons who shall also be the Chief Inspector of Certified Schools.

3. Grants may be given to private certified schools—

(1) for the maintenance in whole or in part of each child and youthful offender admitted to the school;

(2) for such other objects and under the same conditions as are laid down in the Grant-in-Aid Code of the Madras Educational Department; and

(3) for the licensing out of persons committed to the school, for assisting in their aftercareer those who have been discharged under section 35 (1) or whose period of detention has terminated, or for any other purpose which the Government may consider as auxiliary to the efficient administration of the Act.

4. The Manager of every private certified school shall appoint a Superintendent of the school who shall also be the correspondent and transact the current business of the institution with the Chief Inspector. His appointment shall be subject to the approval of the Chief Inspector. All changes in the management and superintendence of the school shall be immediately notified to the Chief Inspector.

5. (*a*) Every certified school shall have a recognized medical attendant who shall be a registered medical practitioner. He shall visit the school regularly and carry out a medical inspection of all the inmates as well as of the premises.

(*b*) A register shall be kept in every school in which the medical officer shall enter his remarks at each visit.

(*c*) The Superintendent shall cause every person to be weighed and measured on admission and at monthly intervals thereafter. A record of such weighments shall be entered in a register kept for the purpose. The case of any person who shows loss of weight shall be specially brought to the notice of the medical officer at his next visit.

(*d*) All outbreaks of epidemic diseases and all deaths shall be reported immediately to the medical attendant and to the Chief Inspector.

6. The dietary in a certified school shall be drawn up in consultation with the medical officer and shall be approved by the Local Government.

7. The provisions of the Madras Educational Rules relating to accommodation and sanitation, discipline, dress and periodical examinations shall apply to certified schools except in so far as their special character does not permit of such application.

8. The number of admissions to the school shall be regulated with due regard to the accommodation and staff available.

Education and vocational training.

9. Provision shall be made for general education in all certified schools at least up to the fifth standard and for some form of manual training.

10. Besides general education each certified school shall, as far as possible, provide for the vocational training of pupils, the wishes of each pupil being consulted as far as possible as to the particular training which he shall undergo. All courses of instruction shall be approved by the Chief Inspector.

11. (i) The instruction given in general education and in vocational subjects shall be tested annually, the former in the case of boys' schools by the District Educational Officer and in the case of girls' schools by the Inspectress, having jurisdiction over the area in which the schools are situated, the latter by a person or persons specially deputed for the purpose by the Chief Inspector in consultation with the Director of Public Instruction.

(ii) The Superintendent shall arrange annually for a public distribution of prizes.

12. The religious observances of the pupils shall be duly respected.

Management of Government certified schools.

13. The responsibility for the discipline and management of Government certified schools is vested in the Superintendent under the control of the Chief Inspector.

14. The Superintendent shall be aided by a Committee of Visitors appointed by Government. A visitor shall hold office for two years and shall be eligible for reappointment, but, if he fails to attend a meeting during a period of six consecutive months, he shall vacate his seat and the fact shall be reported by the Superintendent to the Chief Inspector and by the Chief Inspector to the Local Government.

15. The Committee of Visitors shall consist of not less than five persons of whom two at least shall be natives of India and shall meet at least once in every month, when it shall

(1) hear complaints and see that the arrangements of the school are proper in all respects;

(2) examine the punishment book, medical register, the admission and disposal registers and any other records;

(3) bring any special cases to the notice of the Chief Inspector; and

(4) see that no person is illegally detained in the school.

16. The Committee shall fix the day and hour of its meetings; and a week before the day so fixed, a notice thereof, together with an abstract of the subjects to be considered, shall be forwarded to the non-resident members, and at least two days previous to the meeting, all papers to be disposed of shall be circulated to the resident members.

17. The Chairman of the Committee shall be one of the visitors nominated as Chairman by the Chief Inspector and shall preside at the meetings whenever present. In his absence the members present at a meeting shall elect one among themselves to do the duties of Chairman for the time being.

Three members shall form a quorum. The minutes of each meeting shall be signed by the Chairman and Superintendent and a copy of the same shall be forwarded to the Chief Inspector.

The Superintendent shall ordinarily give immediate effect to the resolutions of the Committee, intimating to the Chief Inspector the fact of his having done so, but should he consider any resolution inexpedient or *ultra vires* he shall submit such resolution for the orders of the Chief Inspector before giving effect to it.

18. The staff of a Government certified school shall consist of a Superintendent and such number of masters, including the Headmaster and instructors, as may be employed from time to time under orders of the Local Government. The appointment of the Superintendent shall vest in the Governor in Council. The remaining members of the staff shall be immediately subordinate to the Superintendent in all matters connected with the school.

19. The Superintendent shall have power to make appointments to posts the pay or maximum substantive pay of which does not exceed Rs. 30 per mensem and to grant leave to and to inflict punishment on persons so appointed. The appointment and punishment of the remaining members of the staff shall vest in the Chief Inspector, provided that the Superintendent may, pending the orders of the Chief Inspector, suspend any of them except the Headmaster.

20. The medical attendant attached to the school shall in professional matters be under the immediate control of the medical officer of the district, but in all other respects he shall be immediately subordinate to the Superintendent of the school.

21. During the absence of the Superintendents of the Senior Certified School, Chingleput, and the Junior Certified School, Rajahmundry, on leave for short periods, the powers conferred on them shall be exercised or the duties imposed on them performed, as the case may be, by the District Medical Officer, Chingleput, and the Superintendent, Central Jail, Rajahmundry, respectively; if the Superintendents are on leave other than casual leave, the District Medical Officer, Chingleput, shall be eligible for a special pay of Rs. 75 a month, and the Superintendent, Central Jail, Rajahmundry, for a special pay of Rs. 50 a month, for the period they are in charge of the schools.

In the case of the Junior Certified School, Ranipet, the Assistant Superintendent and medical officer of the school shall be in charge except when the Chief Inspector of Certified schools otherwise directs.

Provided that no Superintendent of a Certified school shall quit the station or hand over charge of the school without having obtained the previous authority of the Chief Inspector.

Supervision.

22. Without the written sanction of the Chief Inspector, the Superintendent shall on no account absent himself from the station. Similarly, without the written sanction of the Superintendent, the other members of the staff and the medical attendant shall, if they are provided with quarters in the school, on no account absent themselves from their quarters at night.

23. The Superintendent shall be present when the dormitories are locked up at night and unlocked in the morning; but, if he be unavoidably absent, he shall record the fact and the reasons for his absence in his report book. He shall also have in his personal custody the keys of the dormitories and cells at night and shall see that the entrance gate is guarded both day and night.

24. The Superintendent shall give immediate notice of the escape or recapture of any boy to the Chief Inspector, to the local police, and to the Superintendent of Police and the Magistrate of the district from which the pupil was admitted to the school.

25. The Superintendent shall see that the sanitary arrangements of the school are in every respect thoroughly satisfactory. He shall also carry out forthwith all urgent instructions of the medical attendant or the medical officer of the district regarding the sick in hospital and shall report to the nearest magistrate or to the officer in charge of the nearest police station all cases of sudden or unnatural death or death under suspicious circumstances.

Dietary.

26. (i) The boys should be classified into three sections according to the size—small, medium and big—and the scale of diet shall be as follows:—

	Small.	Medium.	Big.
Rice	18 ounces.	20 ounces.	22 ounces.
Garlic (Mondays, Wednesdays and Fridays).	30 grains.	30 grains.	30 grains.
Mutton (Thursdays and Sundays) ..	4 ounces.	4 ounces.	4 ounces.
Dried fish (Tuesdays)	2 ,,	2 ,,	2 ,,
Vegetable	4 ,,	4 ,,	4 ,,
Dhall (ordinary days)	4 ,,	4 ,,	4 ,,
Dhall (Tuesdays, Thursdays and Sundays).	3 ,,	3 ,,	3 ,,
Tamarind, gingelly oil, onions	½ ounce.	½ ounce.	½ ounce.
Curry powder	¼ ,,	¼ ,,	¼ ,,
Salt	¾ ,,	¾ ,,	¾ ,,
Jaggery	1 ,,	1 ,,	1 ,,
*Milk	2 ounces.	2 ounces.	2 ounces.

*To be converted into half a pint of butter milk in the school itself.

NOTE.—(1) One drachm of curry powder per head on days on which mutton is given and one drachm of curry powder and one drachm of tamarind per head on days on which fish is given shall be issued.

(2) Half an ounce of gingelly oil and half an ounce of punnock, soap or soapnut shall be issued to each pupil for oil baths once a week.

(3) The minimum allowance of fuel for all classes of pupils is one pound per head per diem.

(4) Firewood for making curry powder shall be issued at the rate of one pound of firewood per pound of curry powder made.

Rice may be cut short by 4 ounces and ragi flour substituted for cakes in the morning (with jaggery) when ragi is available.

The Superintendent may make temporary alterations in the scale of diet in individual cases when considered necessary.

(ii) The scale of diet for Anglo-Indian boys shall be as follows:—

	LB.	OZ.	DR.	
Rice	0	3	0	Per diem.
Dhall	0	4	0	Per day except on Thursdays and Sundays when 4 oz. of mutton and 3 oz. of dhall to be issued.
Salt	0	0	12	Per diem.
Tamarind	0	0	8	Do.
Onions	0	0	8	Do.
Gingelly oil	0	0	8	Do.
Curry powder	0	⅖	0	Do.
Bread	0	12	0	Do.
Sugar	0	1	8	Do.
Tea	0	0	8	Do.
Milk	¼ pint.			Do.

NOTE.—One pound of firewood may be allowed per head per diem.

(iii) Ordinarily, one of the Brahman boys shall cook for his fellows; but when the number of such boys exceeds three, a Brahman cook may be engaged for Brahmans.

(iv) The Superintendent shall be responsible for the purchase of provisions and by informing himself of the current bazaar rates shall satisfy himself that the full amount of food is purchased and that the rates are reasonable. He shall also see the rations weighed and served out to the cooks, examine the food occasionally before distribution by way of test, and see that the boys are cleanly in person and dress at the time of meals.

Clothing and bedding.

26-A. The supply of clothing and bedding to pupils shall be on the following scale:—

Name of article.	Number supplied to each boy.	Period of wear.
Coat*	1	Three years.
Cap*	1	Do.
Shorts*	1 pair.	Do.
Shorts	3 pairs.	One year.
Shirts	3	One year.
Leather belt	1	Four years.
Cap	1	One year.
Towels	2	Do.
Langoti	2	Do.
Cumbly	1	Two years.
Mat	1	Do.
Pillow	1	Do.

* For use on ceremonial occasions only.

Daily work in the school.

27. (i) The dormitories shall be unlocked between 5 and 6 a.m. according to the season, the exact time being left to the Superintendent, and the pupils shall be at once marched to visit the latrines and to perform their ablutions, after which they will have a light meal. Up to 6 a.m., when the work will commence, the pupils shall be employed in cleaning the dormitories.

(ii) The time-table for regulating the daily work of the school and its pupils shall be approved by the Chief Inspector and no changes shall be made in it without his previous sanction.

(iii) The precise time for locking up the dormitories shall be left to the discretion of the Superintendent, provided it is never before 6-15 p.m.

Maintenance of registers accounts, etc.

28. (i) The following registers and accounts shall be maintained in the school:—

Register of admissions and discharges.
Pupils' weight register.
Register of letters received.
Register of letters despatched.

Register of gymnastics and drill.
Library catalogue.
Library register
Office journal.
Pay abstract.
Acquittance roll.
Register of contingent expenditure.
Register of annual returns to the Accountant-General.
Inventory of valuable stock.
Stock books of stationery articles and printed forms.
Books of bill forms and receipt forms for the manufacturing department.
Stock book of tools, implements, etc.
Stock book of rations.
Diet roll.
Cash account of expenditure under rations.
Register of receipts and issues of pupils' clothing, bedding, etc.
Register of raw materials.
Register of work turned out by the manufactory department.
Register of work done for the school.
Sale or credit book of manufactured articles.
Stock and sale account of textile fabrics.
Cash account of receipts.
Register of outstandings.
General mark register.
Mark register for each industrial class.
Punishment book.
Conduct badge register.
Register of mark, work and badge money.
Pupils' fine account.
Pupils' savings bank account.
History of discharged pupils.

(ii) The Superintendent shall record in the office journal in his own handwriting all important matters connected with the school.

(iii) The Superintendent shall record in the punishment book full particulars of all punishments inflicted by him, together with the nature of the offence, the name of the offender and the number of previous punishments against him.

(iv) The Superintendent shall be responsible for all the property of the school and for all moneys and stores received.

(v) The register of valuable stock shall be scrutinized every year by the Superintendent.

Holidays.

29. Besides Sundays and other public holidays, a certified school will have a half holiday on every Saturday; it will also have a fortnight's holiday for Christmas subject to the condition that the pupils are employed during the period in some healthy occupation

outside their ordinary class work, such as gardening, drawing, reading library books, and sports.

Rewards and Punishments.

30. The Superintendent may select from amongst the best behaved pupils such number of monitors and assistant monitors as may be fixed by the Chief Inspector.

31. (i) In order to encourage continuous good behaviour the pupils shall be given good conduct badges having a money value.

(ii) A pupil shall be entitled to a badge for every year spent by him in the school without his name appearing in the punishment book.

(iii) A pupil whose name appears in the punishment book will not be entitled to a badge until he has put in one year's good behaviour from the date of the entry of his last offence in the punishment book.

(iv) Every monitor or assistant monitor shall be entitled to a badge in virtue of his office, and only so long as he holds that office, in addition to any badge or badges which he may earn or may have earned by his good behaviour.

(v) The Superintendent may grant a special badge for any exemplary good conduct in addition to an ordinary badge.

(vi) For gross misconduct the Superintendent may withdraw one or more badges if he thinks the offence is of such a nature as to render the offender unworthy of wearing such good conduct badge.

(vii) For each badge the wearer shall get one anna a month. After two badges have been earned the allowance shall be raised to two annas a month per badge, provided the pupil has passed the third standard in general education and second standard in industrial education. This money shall be deposited in the savings bank and, in the case of a pupil who has earned at least one badge each year, the sum of his earning shall be raised by 50 per cent on his leaving the school.

(viii) The good conduct badge will consist of an oblong piece of polished copper ($1'' \times \frac{1}{2}''$) and will be worn on the breast.

32. (i) In order to encourage good conduct and industry each pupil shall be assigned marks having a money value not exceeding three annas a month. Such of them as have passed the second standard in industry shall also be given a share not exceeding one-tenth of the value of the work turned out after deducting the cost of materials. Pupils in the band, mason and garden classes, if any, shall be given two annas a month.

(ii) Of the mark money one-half may be spent by the earner in sweetmeats, fruits, toys or other articles which are not forbidden, and the other half, as well as the work money and the badge money, shall be deposited in the name of the Superintendent, in the savings bank or in the case of large sums in Post Office Five-year Cas Certificates.

(iii) A debtor and creditor account for each pupil shall be kept in the office and a copy of it shall be hung up in the school once a month, so that each pupil may know the exact amount standing to his credit.

(iv) The headmaster shall keep a general mark register for each pupil's conduct, (*a*) out of the school, (*b*) in general education classes, and (*c*) industrial classes, in which shall be recorded daily under each head ' good,' ' indifferent ' or ' bad,' as the case may be, against each pupil's name. For every ' good ' entry two marks shall be given, for every ' indifferent ' entry no mark, for ' bad ' a minus mark; a minimum of 33 marks per week shall entitle a pupil to a reward of 9 pies and a minimum of 22 to 4 pies. This register shall be checked and revised by the Superintendent at the end of each month.

(v) Every monitor shall be allowed double the ordinary number of marks and every assistant monitor 50 per cent more than the ordinary number of marks, and the money value of the marks obtained by the monitors and assistant monitors shall be proportionately raised.

(vi) The unclaimed earnings of discharged pupil should be taken as deduction of charges under the head ' Allowance to discharged pupils ' or ' Badge and mark money ' as the case may be, i.e., the head which would have received the debit when payment was made. The Chief Inspector may by reappropriation from the above head increase, if necessary, the amount available for expenditure on games and sports.

33. Misconduct on the part of an inmate of a school may be punished by the Superintendent—

(*a*) by loss of marks,
(*b*) by impositions,
(*c*) by deprivation of play hours,
(*d*) by temporary cessation of visits from parents or relatives,
(*e*) by caning on the hand,
(*f*) by whipping,
(*g*) by deduction of earnings, or
(*h*) by withdrawal of good conduct badges.

The punishment of whipping shall only be inflicted by the Superintendent or in his presence by an officer specially authorized by him. It shall be inflicted on the posterior with a cane. The number of stripes shall not exceed twelve.

Caning on the hand shall similarly be inflicted by the Superintendent or in his presence or subject to the approval of the Chief Inspector by the headmaster. It shall be inflicted with a small school cane on the palm of the hand and shall not exceed six stripes. Every caning inflicted by the headmaster shall be at once reported to the Superintendent and all cases of corporal punishment shall be recorded in a punishment book with reasons for inflicting the punishment.

Leave of absence.

34. The Superintendent of a certified school may grant to any inmate leave of absence for a period not exceeding ten days, subject to a maximum of 15 days in the year—

(*a*) to visit parents or relatives where the behaviour of the inmate justifies such a privilege and sufficient guarantees are given that the inmate will return at the end of the leave, and

(*b*) in special cases to visit a parent or relative who is dangerously ill.

The leave granted may at any time be cancelled by the Superintendent and the inmate recalled without reason given. Any overstay of leave shall be reported to the Chief Inspector. When an inmate has failed to return by the due date the services of the police may, if necessary, be utilized to bring him back.

Correspondence.

35. Inmates may correspond in writing with their parents and relatives with the permission of the Superintendent and may also receive visits from them once a month. This latter privilege may be forfeited as a punishment for misconduct by the inmate or if it is used to introduce prohibited articles into the school premises. If their address is known, parents and relatives shall also receive notice of serious illness and the Superintendent shall answer any inquiries made by them, provided that postage stamps for the reply are enclosed.

Prohibited articles.

36. Spirits and intoxicating drugs (including opium and ganja), tobacco and snuff shall be deemed prohibited articles.

Conveyance of children and youthful offenders to certified schools.

37. The court which makes an order remanding a child or young person or which commits him to a certified school shall make the necessary arrangements for his conveyance to the place of remand or school.

(1) No child under the age of 10 shall be compelled to walk to a school or place of remand unless in the immediate neighbourhood of the court.

(2) Conveyance charges under this head shall be borne by the Government unless the Court dealing with the case directs that they should be met in whole or in part by the parents or guardians concerned.

(3) No child or young person remanded or ordered to be taken to a certified school shall be handcuffed and police officers conducting them shall, whenever possible, wear plain clothes.

Inspection of uncertified institutions.

38. When an uncertified poor school or institution has been inspected under section 17 of the Children Act, a copy of the inspection report shall, as soon as possible, be forwarded by the Chief Inspector to the managers for their remarks. If the remarks of the managers have not been received within 14 days the Chief Inspector shall proceed to pass orders and, if necessary, submit the report to Government with his recommendation.

39. The mode of inspection shall follow so far as possible that laid down for the inspection of certified schools.

Persons authorized to act under section 29 of the Children Act.

40. The District Collector shall, from time to time in consultation with the Chief Inspector of Schools, select from among the following:—

(*a*) Police officers not below the rank of sub-inspector;

(*b*) members of municipal councils, taluk boards and district boards;

(*c*) officers or members of recognized philanthropic societies;

(*d*) superintendents of certified schools and auxiliary homes and members of visiting committees of Government certified schools;

(*e*) inspecting officers of the Educational Department not below the rank of Deputy Inspector;

a sufficient number of persons who shall have authority to act under section 29 in any local area within his district.

But in the City of Madras the Local Government shall from time to time select a sufficient number of persons who shall have authority to act under the section.

Committal to custody, boarding out, licensing and supervision of children and young persons under the Children Act.

41. The court taking action under sections 28 (*b*) and (*c*) and 29 (2), (3) and (4), before committing the child or young person to the custody of a relative or other person, shall assure itself of the suitability and *bona fides* of the selected person. For the purpose of this rule societies for the protection of children may be held to be suitable persons.

42. Where a child or young person is placed under supervision under section 25 or 29 (4) of the Act, monthly reports on the health, conduct and progress of such person shall be sent by the supervisor to the Chief Inspector. In case the report is unsatisfactory, the Chief Inspector shall bring the matter to the notice of the court.

43. Children boarded out shall be visited by the Superintendent or some other member of the staff of the certified school at least once a month and, if anything unfavourable is detected in their surroundings, immediate arrangements shall be made to recall them to the certified school or to change the place of boarding. Reports on children boarded out shall be made quarterly to the Chief Inspector of certified schools.

44. The Superintendent shall see that adequate provision is made for the general education and vocational training of children who are boarded out and report the arrangements to the Chief Inspector.

45. (1) No child or youthful offender shall be licensed out under section 33 (1) unless the managers of the school from which he is licensed or satisfied that due arrangements have been made for his education, training or employment while so licensed.

(2) For the purpose of section 33 an auxiliary home shall be regarded without further inquiry as a suitable place for the reception of a child or youthful offender placed out on licence.

46. When a child or youthful offender sent out on licence is not placed in an auxiliary home, the Superintendent of the school shall send every month a report form to the person to whom the youthful offender or child is licensed who shall cause it to be filled in and returned to the Superintendent with a brief report of the conduct and progress of the child or youthful offender.

47. In all cases of children or youthful offenders placed out on licence regular supervision, as far as circumstances permit, shall be exercised by the Superintendent.

48. A disposal register shall be kept in every certified school in which shall be entered full particulars of the manner in which every inmate was disposed of on licence or on discharge and of his after-career. Every effort shall be made by the Superintendent to keep in touch with the inmates for at least three years after discharge.

49. An annual return in Form No. II shall be made by the manager of every certified school to the Chief Inspector.

Payment of contribution under section 31 of the Children Act.

50. Contribution under section 31 by parents and other persons liable to maintain children or young persons shall be paid into a Government treasury to the credit of Government. The receipts shall be sent to the Chief Inspector of certified schools.

Hearing of cases and appeals under the Children Act.

51. Cases under this Act may be heard in camera. The court shall, wherever possible, dispose of all cases relating to children or young persons on the day of hearing.

52. Appeals under section 42 shall be filed within one month of the date of the order appealed against.

Detention of children and young persons under arrest or remand or committed to trial under the Children Act.

53. Any certified school or auxiliary home may, with the consent of the managers, be used as a place for the detention of children and young persons under arrest or remanded or committed for trial.

54. Children and young persons under arrest or remand or committed for trial shall not be detained in jail with other persons.

They shall be, as far as possible, detained in a building separate from that jail and this building shall, wherever possible, be under charge of a person other than a police officer.

55. No girl arrested or remanded or committed for trial shall be detained in police custody. When the girl is remanded or committed for trial, the magistrate shall place the girl in the custody of any person who in his opinion will produce the girl at the next hearing.

Certification of auxiliary homes.

56. Application for certification of an auxiliary home under section 15 of the Children Act shall, as far as possible, be in Form No. I and shall also specify the school or schools to which the home is to be attached and the purposes for which it is established. Every such home shall, as far as possible, comply with the rules prescribed for private certified schools.

Discharge of pupils.

57. (i) A pupil shall ordinarily be discharged on the expiry of the period of detention as ordered by the committing court. If he, in the meanwhile, escapes from the school and is subsequently recaptured the number of days he was at large exclusive of the days of escape and recapture shall be added to the period of detention and the date of discharge shall be the date on which the sum of these periods elapses.

(ii) At least two months before a pupil is entitled to be discharged notice in Form No. III shall be sent to the Collector of the district in which his parents or near relatives reside requesting him to secure the attendance, at a fixed time, of some trustworthy person to take charge of the pupil. The Collector may, if necessary, forward the pupil to any subordinate Revenue official within whose jurisdiction the pupil's parents or near relations reside.

(iii) A discharged pupil shall be provided with a letter to the Collector in Form No. IV soliciting his sympathy in the pupil's behalf and requesting him to do what he can towards ensuring the pupil a fair start in life as well as reasonable protection against temptations to a relapse into crime. The Collector shall endeavour to induce the local headman or some respectable neighbour to do what he can for the pupil and shall make use, as far as practicable, of the services of any voluntary association that may be formed to look after the interests of discharged pupils.

(iv) The pupil shall ordinarily be sent to the Collector and by the Collector, if necessary, to his relatives in charge of a peon of the school, who shall be responsible for his treatment until he is handed over to his relatives. Every pupil whose destination is on or near a line of railway shall be supplied with a railway ticket of the lowest class. Payment of the fares of the pupil and of the peon shall be made by railway warrant. When a journey has to be made by boat or steamer the pupil and the peon shall be provided with passages or passage money to the halting place nearest to the former's destination at the lowest rate. Every pupil who has to proceed a distance

of more than 5 miles by road or more than three hours' journey by rail or other mode of conveyance, shall on release be given subsistence allowance at the rate of annas four, if the journey will be completed next morning, and annas six per day otherwise; the peon shall be granted daily allowance at the rate admissible under the Travelling Allowance Rules.

(v) The Superintendent may, if necessary, provide the pupil with clothing at a cost not exceeding one rupee.

(vi) Care shall be taken to despatch the pupil from school in sufficient time to admit of his reaching his destination before the date on which he is entitled to discharge and the amount of gratuity payable to him in the case of Government schools shall also be forwarded with the letter in Form No. IV to the Collector who shall either pay the amount to the youth personally in the form of a monthly allowance in such instalments as he may deem desirable or, if the pupil prefers it, spend the money in starting him in business including, if he sees no reason to the contrary, the purchase of tools.

(vii) The unclaimed earnings of discharged pupils in the case of Government schools should be paid into the treasury and the amount should be taken as deductions of charges under the head which would have received the debit when payment was made.

(viii) When a pupil is removed from a Government school in consequence of his being sentenced to a term of imprisonment for offences committed while in the school, the amount of gratuity payable to him shall be forwarded to the Superintendent of the Jail in which the pupil is to undergo the sentence.

(ix) Pupils belonging to notified criminal tribes who are sent out on licence or discharged either absolutely or conditionally are exempted from registration under the Criminal Tribes Act and should not be subject to police surveillance. Such pupils should in all cases be placed under the strict supervision of suitable probation officers.

(x) For three years from the date of a pupil's discharge the Superintendent shall communicate with the Collector once in every six months in Form No. V with a view to ascertain the career of the pupil since his discharge. The reply of the Collector shall in every case be laid before the committee of visitors and an abstract of the report shall be embodied in the annual report to the Chief Inspector in the case of Government schools. All inquiries regarding ex-pupils shall be made through Revenue and Educational officers. If the officer charged with the duty of making inquiries ascertains that a pupil is out of employment he should not be content merely to report the fact, but should use every effort to find him employment.

(xi) When a pupil is discharged or dies, his warrant or detention order, as the case may be, shall be endorsed by the Superintendent of the school, with a certificate showing the manner in which it has been executed. In the case of a pupil who is discharged, the certificate shall in addition state under what orders

or what reason he has been discharged. The warrant or detention order, thus endorsed, shall be returned to the court which issued it.

Temporary removal of pupils for treatment in hospitals.

57-A. (1) Whenever the medical officer of a certified school considers it necessary to remove a pupil to a local or outside civil hospital, he shall record a full statement of the case and forward the same to the Superintendent of the school who shall forthwith submit it to the Chief Inspector of Certified Schools for orders of Government being obtained for the temporary removal of the pupil to the hospital:

Provided that the Superintendent may remove a pupil to a hospital in anticipation of the sanction of Government where the medical officer considers such removal absolutely necessary.

(2) (*a*) The pupil shall immediately on removal pursuant to an order under sub-rule (1) or the proviso thereto, proceed under escort, if so ordered, to the hospital and present himself to the officer in charge of the hospital or his assistants for treatment.

(*b*) He shall be an in-patient in the hospital and shall not leave it until formally discharged therefrom.

(*c*) He shall, on formal discharge from the hospital after treatment, return directly to the certified school in which he was detained and report himself to the Superintendent of the school without delay.

(3) The Superintendent of the school shall not remove a pupil from the school before he has made necessary arrangements for his admission into the hospital for treatment. The Superintendent shall provide the pupil with the railway warrant, subsistence allowance, cart-hire and other allowance necessary for his journey to the hospital. The railway warrant, subsistence allowance, cart-hire and other allowance necessary for the pupil's return journey from the hospital may be sent to the officer in charge of the hospital to be delivered to the pupil on discharge. The Superintendent shall supply a pupil, on his removal from the school, with private clothing which shall be returned to the Superintendent by him on his re-admission into the school. If the medical officer considers the case so serious as to require an attendant, the Superintendent shall provide a proper attendant for escorting the pupil to the hospital and the expenditure incurred in connexion therewith shall be charged against the school. When a pupil is removed for treatment to a Government hospital, no charges shall be made against the school for the treatment and diet given to him in the hospital.

Batta to pupils for attendance at Criminal Courts.

58. When a pupil in a certified school is summoned by a magistrate to give evidence before him, the Superintendent should see that he is provided with meals, the cost thereof being met from the provision for contingencies of the school. The batta allowed to the pupil by the magistrate in such cases should be credited to the Government.

APPENDIX.

FORM NO. I.

Rule 2.

(*Application for certification.*)

District.	Taluk.	Town or village.

1. Name of school.	
2. Date of establishment.	
3. Society, association, person or persons owning the school.	
4. Sources of funds—with details where possible.	
5. Names of members of governing body and their addresses.	
6. Superintendent—Correspondent.	
7. Standard up to which general education is to be given.	
8. Heads of vocational training and education to be given.	

9. Staff.	Name of teacher.	Designation.	Full salary assigned to the post or proposed to be assigned.	Age.	Standard and subjects taught.	Total service		Highest general education with full test and year particulars.	Highest technical examination passed and year and subject. If more than one, please state.	Highest grade of trained teacher's certificate and year.	Highest grade of untrained teacher's certificate and year and subject.	Highest grade of technical teacher's certificate and year and subject.	Remarks by the school management.
						In the school.	In other certified or recognized schools with names and periods in each case.							
								A.—General education.					
								B.—Vocational training.					

10.	Accomodation and sanitation—
	Total area of (*a*) School buildings, including workshop. (*b*) Offices. (*c*) Play-ground.
	Number of class rooms or workshops and the superficial and cubical area of each room with the maximum number of pupils likely to be taught or trained in each.
	Sanitation, latrine and water-supply.
11.	Furniture, apparatus and appliances (information separately for each standard and kind of vocational training to be given).
12.	Whether a library is provided.
13.	The registers maintained.

DECLARATION.

On behalf of the management of the school I hereby declare that the school fulfils all the conditions specified in the Madras Children Act and the rules relating thereto and I promise to comply with all the conditions laid down for certificates of schools dealt with by the Madras Children Act as laid down in the said Act and rules relating thereto and to furnish such returns as may be required by the Jail department.

Station
Date

Correspondent.

PRICE, 3 *pies*]

FIRST LIST OF CORRECTIONS TO THE RULES UNDER THE MADRAS CHILDREN ACT, 1920.

Page 4.—*For* rule 20 the following shall be substituted :—

20. The medical attendants attached to the Senior Certified School, Chingleput, and the Junior Certified School, Ranipet, shall, in professional matters, be under the immediate control of the Medical Officers of the districts concerned, but in all other respects they shall be immediately subordinate to the Superintendents of the respective schools.

One of the Sub-Assistant Surgeons of the Wellesley Sanatorium Jail, Bellary, shall perform the duties of Medical Officer and Warden of the Junior Certified School, Bellary. He shall be eligible for a special pay of Rs. 20 a month for the additional work. The Medical Officer of the school shall be under the immediate control of the Medical Superintendent of the Wellesley Sanatorium Jail, Bellary, in professional matters, but in all other respects he shall be immediately subordinate to the Superintendent of the school.

(G.O. Ms. No. 1471, Law (Edn.), dated 6th October 1932.)

[I list, 2-8-33]

Page 4.—In rule 21—(i) *For* the word "Rajahmundry" occurring in line 3 *substitute* the word "Bellary".

(ii) *For* the words "Central Jail, Rajahmundry" occurring in lines 6 and 9 and 10, *substitute* "Wellesley Sanatorium Jail, Bellary."

(G.O. Ms. No. 1471, Law (Edn.), dated 6th October 1932.)

[I list, 2-8-33]

Page 6, *Rule* 26-*A*.—*For* the word "four" appearing under the heading "Period of wear" against leather belt, *substitute* the word "two."

(G.O. Ms. No. 661, Law (Edn.), dated 12th April 1933.)

[I list, 2-8-33]

Page 6, *Rule* 26-A.—In the list of articles in this rule, *substitute* the following *for* the last two items :—

Dhurry	1	Two years and 6 months.
Pillow	1	Two years.

(G.O. Ms. No. 1006, Law (Edn.), dated 5th June 1933.)

[I list, 2-8-33]

Government of Madras

LAW (GENERAL) DEPARTMENT

G.O. No. 224, 26th January 1927

Act—The Madras Borstal Schools Act, 1925—Extension to the Madras Presidency—Notifications under sections 1 (2), 3 (1) and 12 of the Act—Issued.

Order—No. 224, Law (General), dated 26th January 1927.

The annexed notifications relating to the extension of the Madras Borstal Schools Act, 1925, to the Presidency of Madras will be published in the *Fort St. George Gazette.*

2. A set of instructions for the guidance of the Superintendent and other officers of the Borstal School, Tanjore, with regard to the control, management, etc., of the school is appended to these proceedings.

3. The Inspector-General of Prisons is informed that pending the appointment of a Visiting Committee under section 3 (2) of the Madras Borstal Schools Act, the procedure prescribed in G.O. No. 1710, Law (General), dated 2nd June 1924, for the release of Borstal inmates should continue to be followed.

4. The sentence under section 8 of the Madras Borstal Schools Act, 1925, is only a sentence of detention in a Borstal school and not a sentence of imprisonment. The rules relating to the shortening of sentence by the grant of remission contained in Chapter XX of the Jail Manual are therefore inapplicable to Borstal schools.

(By order of the Governor in Council)

V. T. KRISHNAMA ACHARIYAR,
Secretary to Government.

To the Inspector-General of Prisons (with two annexures)
,, the ,, Police
,, the Commissioner of Police
,, all District Magistrates
,, the District Magistrate, Tanjore, with Annexure II also
,, the Chief Presidency Magistrate.
,, all Sessions Judges
,, the Hon'ble the Chief Justice (with C.L.)
,, the Law (Lagislative) Department
,, the Law (Drafting) Department
} paragraph 1 with Annexure I.

Copy to the Judicial Department
,, the Public Department
,, the Superintendent, Government Press, for publication of the notifications.

ANNEXURE I.

NOTIFICATIONS.

I

In exercise of the power conferred by sub-section (2) of section 1 of the Madras Borstal Schools Act, 1925 (Madras Act V of 1926), the Local Government are hereby pleased to apply all the provisions of that Act to adolescent offenders of the male sex throughout the Presidency of Madras, on and from 1st March 1927.

II

In exercise of the power conferred by sub-section (1) of section 3 of the Madras Borstal Schools Act, 1925 (Madras Act V of 1926), the Local Government are hereby pleased to constitute the Borstal School, Tanjore, in the Tanjore district, as a Borstal school under that Act.

III

In exercise of the power conferred by section 12 of the Madras Borstal Schools Act, 1925 (Madras Act V of 1926), the Local Government are hereby pleased to appoint the Borstal School at Tanjore in the Tanjore district for the reception of adolescent offenders directed to be sent to a Borstal school by any court having jurisdiction under the said Act.

ANNEXURE II.

INSTRUCTIONS ISSUED BY THE LOCAL GOVERNMENT FOR THE CONTROL AND MANAGEMENT OF THE BORSTAL SCHOOL, TANJORE.

1. *Control and management of the school.*—Subject to the orders of the Inspector-General, the control and management of the Borstal school shall vest in the Superintendent appointed by the Local Government.

2. *Appointment, powers and duties of officials.*—The Superintendent and other officials of the school shall be subject to the rules laid down in the Madras Jail Manual except in so far as they are inconsistent with the Madras Borstal Schools Act, 1925.

3. *Classification and treatment of the inmates.*—(*a*) The inmates of the Borstal school shall be divided by the Superintendent into grades according to their industry and good conduct.

(*b*) There shall be four such grades, namely,—

(1) the penal grade,
(2) the ordinary grade,
(3) the star grade, and
(4) the special star grade.

(*c*) The privileges of each succeeding grade among them shall be higher than those of each preceding grade.

All pupils on reception shall be placed in the ordinary grade.

(*d*) Promotion shall be regulated by close personal observation of the inmates, attention being specially paid to their general behaviour, their amenability to discipline and their attention to instruction both literary and industrial.

(*e*) There will be an ascending scale of privileges enjoyed by inmates as they pass from one grade to another.

(*f*) An inmate shall remain in the ordinary grade for at least six months, and will be employed on domestic service, gardening or farming. During this period he shall be carefully observed by the staff with special reference to his character, mental disposition and fitness for a special trade.

(*g*) He shall be permitted during this period, subject to good behaviour, games on Saturdays, to write and receive two letters and two interviews once in six months.

(*h*) Promotions to the star grade shall be made by selection by the Superintendent, the inmate so promoted being placed in a trade suitable to his individual taste and capacity. While in this grade, inmates shall be permitted to join in games twice a week; to accompany members of the staff on route marches; to write and receive a letter and have an interview once in two months and by exemplary conduct to earn badge money of one rupee a quarter.

(*i*) When after close observation of his general demeanour and efficiency, the Superintendent is satisfied that an inmate in the star grade may be safely placed in a position of special trust, he may be promoted to the special star grade. Such inmates shall wear a distinctive dress. They may act as monitors in different capacities and may be placed in authority over other inmates on parade in the workshops or recreation rooms and in other situations where they can assist the administration in various ways. They shall be permitted to take part in games every day and to play in school matches on extra-mural play grounds; to accompany members of the staff on route marches; to write and receive a letter and have an interview once a month; to sleep in association; and by exemplary conduct to earn badge money of Rs. 3 a quarter.

(*j*) The badge money awarded to inmates in the star and special star grades may be spent by them on objects approved by the Superintendent or sent to their relations or invested in the local Savings Bank.

(*k*) Where an inmate is believed to be exercising a bad influence he shall be placed by the Superintendent in the penal grade for such period as the Superintendent considers necessary in the interests of the inmate himself or of the other inmates. While in this grade, an inmate shall be employed in separation on hard and laborious work and shall forfeit all privileges. The Superintendent shall record in his journal particulars of the case of every inmate ordered by him to be placed in the penal grade with the reasons for such order and stating the period during which the inmate is to remain so placed, but in no case shall an inmate be placed in the penal grade for a period longer than three months without the special sanction of the Inspector-General of Prisons.

(*l*) If the inmate had previously been in the star or special star grade, he shall not be restored thereto without passing through a period of probation in the ordinary grade for such period as the Superintendent may determine.

(*m*) If the inmate is, in the opinion of the Superintendent, guilty of any misconduct, the Superintendent shall place him, for such period as he may deem necessary, in the penal grade, if he had previously been in the ordinary grade and in the ordinary or the penal grade, if he had previously been in the star or special star grade; but in no case shall an inmate be placed in the penal grade for a period longer than three months without the special sanction of the Inspector-General of Prisons.

4. *Punishments for offences.*—(1) The punishments which may be inflicted on an inmate of a Borstal school for offences specified in the Prisons Act, 1894, and the rules made thereunder shall be in the following forms and in no other :—

(i) reduction in grade ;

(ii) deprivation of any of the privileges of the grade ;

(iii) punishments prescribed by the Prisons Act, 1894, and the rules thereunder except punishment by handcuffs, fetters, gunny clothing, cellular confinement and penal diet combined with cellular confinement specified in clauses (5) to (7), (10) and (11) of section 46 of that Act and the rules relating thereto, provided that nothing in this clause shall be deemed to permit 'separate' confinement under clause (8) of that section for more than one month ;

(iv) cuts on the hand by a rattan, provided that the cuts shall be inflicted only in such cases and subject to such limitations and restrictions as apply to punishment by whipping under clause (iii).

(2) No punishment shall be awarded to any inmate by any official of the school except the Superintendent or in his absence the official exercising his functions.

5. *Hours of work.*—All inmates, provided they are medically fit, shall be required to labour for eight hours every working day. The day's work shall ordinarily be divided as follows:—

	HOURS.
Drill and physical exercises	1
Literary instruction	2
Manual work (including agriculture)	5
Recreation	1

6. *Education and training.*—(*a*) Drill and physical exercises shall be conducted under the supervision of a qualified instructor.

(*b*) Literary instruction shall be in the inmate's own vernacular and limited to the elements of reading, writing and arithmetic. The Educational section shall be inspected annually by an officer deputed by the Educational department and a report of his examination of each class shall be submitted to the Inspector-General of Prisons.

(*c*) Such industries as the Superintendent of the school with the approval of the Inspector-General of Prisons considers suitable, shall be taught under the guidance of specially trained instructors.

(*d*) The Director of Industries, in the case of industrial operations and the Director of Agriculture in the case of agricultural operations, will depute officers of their respective departments to inspect the school from time to time and submit a report to the Inspector-General of Prisons.

(*e*) In deciding on the particular industry any inmate is to be taught, the Superintendent shall take into consideration the inmate's previous training, his social status, his physical and mental capabilities and his inclination.

(*f*) The Instructors in the Educational section and workshops shall maintain registers showing the progress made by each inmate, which shall be produced before the Superintendent once a month.

581/16.4.34.

7. Religious and moral instruction shall, as far as possible, be given on Sundays to an inmate by persons of the same religious denomination or by honorary lecturers approved by the Inspector-General of Prisons.

8. Sundays, Christmas day, Good Friday, the King-Emperor's birthday, Pongal, Deepavali and the last day of the Ramzan shall be regarded as general holidays for the school and no work except such as may be necessary for the internal management and domestic economy of the school or is required by an emergency shall be permitted.

9. *Dietary and clothing.*—All Indian inmates on admission may be given the ordinary rice diet on the scale laid down for Indian prisoners sentenced to labour in Chapter XXII of the Madras Jail Manual.

Their clothing and bedding shall be on the following scale :—

Penal grade.

Blue cap.	Towel.
Blue jacket.	Ordinary cumbli.
Blue shorts.	Coir mat.
Langooti.	

Ordinary grade.

Khaki cap.	White towel.
Khaki jacket.	Ordinary cumbli.
Khaki shorts or trousers.	Aloe mat.
White langooti.	

Star grade.

Same as for ordinary grade with brass star affixed on the left breast of jacket.

Special star grade.

White cap.	White towel.
White jacket with brass star on left breast.	Ordinary cumbli.
	Cotton sheet.
White shorts or trousers.	Kora mat.
White langooti.	

Europeans and Anglo-Indian inmates shall have the same diet and on the same scale as are prescribed for Europeans and Anglo-Indian prisoners in Chapter XXII of the Madras Jail Manual. Their clothing and bedding shall be on the following scale :—

Khaki shirts, cotton	2	
Khaki shorts	2	
Khaki belts $1\frac{1}{2}''$	1	
Sleeping suits	2	
Flannel banians	2	
Socks, cotton	2	pairs.
Boots, black	2	,,
Handkerchiefs	2	
Khaki sun hat, pith	2	
Towels	2	
Comb	1	
Pillow cases	2	
Straw mat	1	
Mattress	1	
Cumbli blanket	1	

10. *Release of inmates.*—All cases of release of inmates of the Borstal school shall be submitted for the orders of Government under section 401, Criminal Procedure Code. The Board of Visitors of the school shall act as Advisory body for recommending the release of inmates.

11. *Appointment of Probation officers.*—(1) For every inmate released from the school there shall be appointed a probation officer. Such appointment shall be made by the District Magistrate, Tanjore, in consultation with the Borstal Association, if any, in the district in which the inmate was permanently residing at the time he was sentenced under section 8 of the Borstal Schools Act.

(2) Two months prior to the release referred to in clause (1) the Superintendent shall request the District Magistrate to appoint a suitable probation officer as provided in that clause.

(3) The District Magistrate shall communicate all appointments of probation officers made under clause (1) to the Superintendent in sufficient time for the inmates concerned being informed of their respective probation officers before their release from the school.

12. The Superintendent shall at all times be in close touch with the local Borstal Association and the Central Committee of the Discharged Prisoners' Aid Society in Madras to enable them to find employment or otherwise assist the inmates about to be released.

S. N. 3.

Issued
by
27.3.35

No. F.1187-34
R.O.I.

From

The Hon'ble Lieut.-Colonel C.T.C. Plowden, C.I.E.,

RESIDENT IN MYSORE.

To

The Political Secretary to the Government of India,

Foreign and Political Department.

Dated Bangalore, the 27th March 1935.

Rules under the Madras Children Act, 1920, as applied to the Civil and Military Station of Bangalore.

- - - -

Sir,

I have the honour to refer to the notification of the Government of India in the Foreign and Political Department, No.614-I.B, dated the 28th November 1934, applying the Madras Children Act, 1920, (Act No.IV of 1920) to the Civil and Military Station of Bangalore, and to submit for the approval of the Governor General in Council, under subsection (3) of section 44 of the Act, a draft of the rules which I propose to make regarding the detention of children and young persons under arrest or remand or committed for trial.

The draft follows with slight modifications the rules made by the Government of Madras.

I have the honour to be,
Sir,
Your most obedient servant,

o/c.

27/3/35

Lt.-Colonel,
R E S I D E N T.

PKH
26.3.

17

Draft rules.

Detention of children and young persons under arrest or remand or committed for trial.

1. A child or young person under arrest or remand or committed for trial shall not be detained in jail with adults; but he may be detained in the juvenile prison at Bangalore.

2. No girl arrested or remanded or committed for trial shall be detained in police custody. When a girl is remanded or committed for trial, the magistrate shall place the girl in the custody of any person who, in his opinion, will produce her at the next hearing.

12/1/35

S. N. 4.

THE HON'BLE THE RESIDENT IN MYSORE.

NOTIFICATION.

No. 35, dated Bangalore, the 26th March 1935.

In exercise of the powers conferred by subsection (1) of section 44 of the Madras Children Act, 1920 (Madras Act No. IV of 1920), as applied to the Civil and Military Station of Bangalore, the Hon'ble the Resident is pleased to prescribe the following rules:—

RULES.

Persons authorised to act under section 29.

1. The Collector, C. & M. Station, Bangalore, shall from time to time in consultation with the Commissioner of Police and the Inspector of Schools, if deemed necessary, select from among the following:—

(a) Police officers not below the rank of Sub-Inspector;

(b) members of the Municipal Commission;

(c) officers or members of recognised philanthropic societies;

(d) inspecting officers of the Educational Department not below the rank of Deputy Inspector;

(e) Honorary magistrates;

a sufficient number of persons who shall have authority to act under section 29 of the Act within the limits of the C. & M. Station of Bangalore.

Committal to custody and supervision of children and young persons.

2. The court taking action under sections 28 (b) and (c) and 29 (2), (3) and (4) of the Act, before committing the child or young person to the custody of a relative or other person, shall assure itself of the suitability and *bona fides* of the selected person. For the purpose of this rule, societies for the protection of children may be held to be suitable persons.

3. Where a child or young person is placed under supervision under section 25 or section 29 (4) of the Act, monthly reports of the health, conduct, and progress of such child or young person shall be sent by the supervisor to the Commissioner of Police. In case the report is unsatisfactory, the Commissioner shall bring the matter to the notice of the court.

Payment of contribution by parent or other person.

4. Contribution under section 31 of the Act by parents or other persons liable to maintain children or young persons shall be paid into the Resident's Treasury to the credit of Government. The receipts shall be sent to the Commissioner of Police.

Hearing of cases and appeals.

5. Cases under this Act may be heard *in camera*. The court shall, wherever possible, dispose of all cases relating to children or young persons on the day of hearing.

6. Appeals under section 42 shall be filed within one month of the date of the order appealed against.

7 + 8 – vide page 12 infra.

Conveyance of children and youthful offenders to certified schools.

8 7. The court which makes an order remanding a child or young person or which commits him to a certified school, shall make the necessary arrangements for his conveyance to the place of remand or school.

(1) No child under the age of 10 years shall be compelled to walk to a school or place of remand unless it is in the immediate neighbourhood of the court.

(2) Conveyance charges under this head shall be borne by the Government unless the court dealing with the case directs that they should be met in whole or in part by the parents or guardians concerned.

(3) No child or young person remanded or ordered to be taken to a certified school shall be handcuffed; and police officers conducting them shall, whenever possible, wear plain clothes.

Discharge of pupils.

8. (1) A pupil shall ordinarily be discharged on the expiry of the period of detention as ordered by the committing court. If he, in the meanwhile, escapes from the school and is subsequently recaptured, the number of days he was at large, exclusive of the days of escape and recapture, shall be added to the period of detention, and the date of discharge shall be the date on which the sum of these periods elapses.

(2) The Collector, C. & M. Station, Bangalore, shall arrange to forward any Station pupil received from the Superintendent of any certified school as due for discharge, to his parents or near relations or to any probation officer appointed for the purpose; and he shall endeavour to use his good offices to give the pupil a fair start in life. He may in such endeavour use, as far as practicable, the services of any voluntary association that may be formed to look after the interests of discharged pupils.

(3) Any gratuity which the Collector may receive for payment to the youth shall be paid to him either personally in the form of a monthly allowance in such instalments as the Collector may deem desirable or, if the pupil prefers it, may be spent in starting the pupil in business including (if the Collector sees no reason to the contrary) the purchase of tools.

General.

9. The rules issued from time to time by the Government of Madras for the maintenance, education, industrial training, conduct, and discipline of pupils detained in certified schools in the Madras Presidency shall apply to Bangalore juveniles and children during the period of their detention in such schools; but the powers vested in Government in respect of such pupils shall be exercised by the Resident.

2/4 o/c.

Secretary to the Resident.

Issued 2.4.35

Copy to:-

The Manager, Residency Press, Bangalore, for publication in the Mysore Residency Orders (30 copies to be supplied).

The District and Sessions Judge, Civil and Military Station, Bangalore, for information.

The District Magistrate, Civil and Military Station, Bangalore

The Commissioner of Police, Civil and Military Station, Bangalore, with copy of notification No.1 dated the 5th January 1935, for information.

1626 (1)—29-3-1935—30+4—RPB.

Seen S.N-5

No. F.57(3)-I.B./34.

From

The Jointy Secretary to the Government of India
in the Foreign and Political Department,

To

The Hon'ble the Resident in Mysore.

Dated New Delhi, the 16th April 1935.

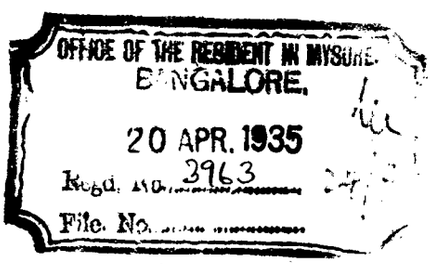
Rules under the Madras Children Act, 1920 as applied to the Civil and Military Station of Bangalore.

-x-x-x-

Sir,

S.N 3 (R)

With reference to your letter No.F.1187-34/R.O.I., dated the 27th March 1935 on the above subject, I am directed to convey the approval of the Governor General in Council to the draft of the rules which you propose to make regarding the detention of children and young persons under arrest or remand or committed for trial.



I have the honour to be,

Sir,

Your most obedient servant,

Joint Secretary to the Government of India.

S.N. 6

THE HON'BLE THE RESIDENT IN MYSORE.

NOTIFICATION.

No 49, dated Bangalore, the 14th May 1935.

In exercise of the powers conferred by section 44 of the Madras Children Act, 1920, as applied to the Civil and Military Station of Bangalore, and with the previous approval of the Governor General in Council, the Hon'ble the Resident in Mysore is pleased to make the following rules regarding detention of children and young persons under arrest or remand or committed for trial.

2. These rules will be numbered 7 and 8 and inserted in the rules issued with the Residency Notification No. 35, dated the 26th March 1935, the existing rules 7, 8 and 9 thereof being re-numbered 9, 10 and 11 respectively.

RULES.

Detention of children and young persons under arrest or remand or committed for trial.

7. A child or young person under arrest or remand or committed for trial shall not be detained in jail with adults; but he may be detained in the juvenile prison at Bangalore.

8. No girl arrested or remanded or committed for trial shall be detained in Police custody. When a girl is remanded or committed for trial, the magistrate shall place the girl in the custody of any person who, in his opinion, will produce her at the next hearing.

C. G. N. EDWARDS,
Secretary to the Resident.

100 (2)—21-5-1935—30—RPB.

Copy to the manager Residency Press. Bangalore for publication in the Residency orders (30 copies) to be supplied
The Dist: magistrate - Cantonm. Bangalore.
The Dist & Sessions Judge —do—
The Commissioner of Police —do—

S.N.9.

No. 1855-C-35.

Proceedings of the District Magistrate,

Civil and Military Station, Bangalore.

Issued 28/6

Dated 24th June 1935.

F. R. Brislee, Esquire, I.C.S.,

O R D E R.

In exercise of the powers conferred by Rule 1 of the Hon'ble the Resident's Notification No.35 dated 26-3-1935, the following persons are hereby authorised to act under Section 29 of the Madras Children Act, 1920 (Madras Act No.IV of 1920) as applied to the C. & M. Station, Bangalore.

1. Police Inspectors in charge of Divisions.
2. Police Officers not below the rank of Sub-Inspector, actually in charge of police stations.
3. All Municipal Commissioners.
4. Hon. Secretary, Friend-in-Need Society, Bangalore.
5. Hon. Secretary, Ex-Services Association, Bangalore.
6. Rev. E.C.Horler, Methodist Mission, Promenade Road, Bangalore.
7. Miss. E. Potter, Church of England Zenana Mission, 13, Cubbon Road, Bangalore.
8. The Rev. Father Vanpeene, St.Patricks Cathedral, Bangalore.
9. The Rev. Canon Flynn, Chaplain, St.Mark's Church, Bangalore.
10. The Chairman, Bench of Magistrates, C.& M.Station, Bangalore.

OFFICE OF THE RESIDENT IN MYSORE, BANGALORE. 27 JUNE 1935 Regd. No. 6194

DISTRICT MAGISTRATE.

Copy to the Secretary to the Hon'ble the Resident in Mysore, Bangalore with a request that it may be published in the Residency Orders.

HOSPAC 27 JUN 1935

Copy forwarded to the Manager Reg: Press A.J.E 28/6/35